

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Stacie M. Otte,

Petitioner,

Civil No. 06-2464 (RHK/JSM)

vs.

ORDER

Olivier L.F. Asser,

Respondent.

Before the Court are Respondent Asser's Objections to the June 22, 2006 Report and Recommendation of Magistrate Judge Susan Richard Nelson. Judge Nelson has recommended that Asser's Application for leave to proceed in forma pauperis be denied and that his "Notice of Removal" be vacated and the matter be remanded to state court.

The undersigned has conducted a de novo review of the objected to portions of Judge Nelson's Report and Recommendation, and is satisfied that the Report and Recommendation should be adopted.

Accordingly, and upon all the files, records and proceedings herein, **IT IS**

ORDERED:

1. The Objections (Doc. No. 9) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 5) is **ADOPTED**;
3. The Application for leave to proceed in forma pauperis (Doc. No. 4) is **DENIED**;
4. The Notice of Removal (Doc. No. 1) is **VACATED**; and

5. The matter is summarily remanded to the State District Court for Ramsey
County, Minnesota.

Dated: July 6, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge